Public Law 101-190
101st Congress

An Act

To provide for the construction of biomedical facilities in order to ensure a continued supply of specialized strains of mice essential to biomedical research in the United States, and for other purposes.

Nov. 29, 1989
[S. 1390]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORITY FOR CONTRACT FOR CONSTRUCTION OF BIOMEDICAL RESEARCH FACILITIES.

42 USC 289e note.

(1) IN GENERAL.—Of the aggregate amounts appropriated for fiscal years 1990 and 1991 to carry out the purposes of title IV of the Public Health Service Act through the National Institutes of Health, the Secretary of Health and Human Services, acting through the Director of the National Institutes of Health, may reserve not more than $25,000,000 for entering into a contract with a public or nonprofit private entity for constructing facilities for the purpose of the development and breeding of specialized strains of mice (including inbred and mutant mice) for use in biomedical research.

(2) COMPETITIVE AWARD PROCESS.—The contract under subsection (a) may be awarded only on a competitive basis after review in accordance with section 4(a).

42 USC 289e

SEC. 2. TWENTY-YEAR OBLIGATION WITH RESPECT TO BREEDING OF SPECIALIZED MICE FOR BIOMEDICAL RESEARCH.

(a) IN GENERAL.—The Secretary may not enter into a contract under section 1 unless, subject to subsection (b), the applicant for the contract agrees that—

(3) throughout the 20-year period beginning 90 days after the date of the completion of the construction of facilities pursuant to the contract, the facilities will be utilized only for the purpose described in section 1(a);

(4) during such period, the applicant will, to the extent practicable, develop and breed such mice in numbers sufficient to assist in meeting the need for such mice in biomedical

research
conducted or supported by the Secretary; and
(5) during such period, the applicant will, upon the request of
the Secretary, sell such mice to the Secretary for purposes of
such research at a price reasonably related to the cost of the
production of the mice.
(b) TRANSFER OF OBLIGATION.—
(1) IN GENERAL.—With respect to the obligation under subsection (a), the contractor under section 1 (and any transferee or purchaser under this subsection) may—
(6) transfer the obligation to a public or nonprofit private
entity if the proposed transferee has entered into a contract
with the Secretary to assume the obligation; and
(7) convey its interest in the facilities involved if the
proposed purchaser of the interest is a public or nonprofit